

104TH CONGRESS
1ST SESSION

H. R. 800

To amend the conservation provisions of the Food Security Act of 1985 and the Federal Water Pollution Control Act to permit the unimpeded use of privately-owned crop, range, and pasture lands that have been used for the planting of crops or the grazing of livestock in at least five of the preceding ten years.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1995

Mr. HOSTETTLER (for himself, Mr. BAKER of Louisiana, Mr. BOEHNER, Mr. BRYANT, Mr. BURTON, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. COMBEST, Mr. COOLEY, Mr. EMERSON, Mr. LEWIS of Kentucky, Mr. MCHUGH, Mr. SMITH of Texas, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure and, in addition, to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the conservation provisions of the Food Security Act of 1985 and the Federal Water Pollution Control Act to permit the unimpeded use of privately-owned crop, range, and pasture lands that have been used for the planting of crops or the grazing of livestock in at least five of the preceding ten years.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Agricultural Lands
3 Protection Act of 1995”.

4 **SEC. 2. EXCLUSION OF HEAVILY USED AGRICULTURAL**
5 **LANDS FROM DEFINITIONS OF WATERS OF**
6 **THE UNITED STATES AND NAVIGABLE WA-**
7 **TERS UNDER THE FEDERAL WATER POLLU-**
8 **TION CONTROL ACT.**

9 Section 404 of the Federal Water Pollution Control
10 Act (33 U.S.C. 1344) is amended by adding at the end
11 the following new subsection:

12 “(t) In addition to the exception provided for prior
13 converted croplands, the terms “waters of the United
14 States” and “navigable waters” in this Act shall not in-
15 clude any privately-owned crop, range, or pasture lands
16 that have been used for the production of crops or the
17 grazing of livestock in not less than five of the immediately
18 preceding ten calendar years.”.

19 **SEC. 3. EXCLUSION OF HEAVILY USED AGRICULTURAL**
20 **LANDS FROM SWAMPBUSTER REQUIRE-**
21 **MENTS.**

22 Section 1222(b)(1) of the Food Security Act of 1985
23 (7 U.S.C. 3822(b)(1)) is amended—

24 (1) by redesignating subparagraphs (B), (C),
25 and (D) as subparagraphs (C), (D), and (E), respec-
26 tively; and

1 (2) by inserting after subparagraph (A) the fol-
2 lowing new subparagraph:

3 “(B) in addition to any prior converted
4 croplands under subparagraph (A), any pri-
5 vately-owned crop, range, or pasture lands that
6 have been used for the production of an agricul-
7 tural commodity or the grazing of livestock in
8 not less than five of the immediately preceding
9 ten calendar years;”.

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